

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla**

REQUEST FOR PRETRIAL CONFERENCE

COMES NOW the plaintiff State of New Mexico *ex rel.* State Engineer and requests that the Special Master conduct a pretrial conference under Rule 16(b) for scheduling and planning purposes in connection with the water rights claims of the following defendants:

FRANK C. SENA	CHTA-001-0001
JOHN M. SENA	CHTA-001-0001
AGRIPINA G. SALAZAR	CHTA-001-0002
VICTOR SALAZAR, SR.	CHTA-001-0002
ELLIS GORDON SCHLEGEL	CHTA-002-0001
ASCENCION LABRIER	CHTA-002-0002
HEIRS OF CARLOTA L. MARTINEZ	CHTA-002-0003, CHTA-003-0001

The Plaintiff State of New Mexico has declined to make an offer recognizing the existence of valid water rights on any of the various tracts of land under the above named subfiles. Research by the State's historian indicates that use of surface water on these tracts began after 1907, and in

the absence of a permit from the State Engineer. A determination of whether or not there are valid surface water rights appurtenant to these tracts of land raises common questions concerning the settlement of the Tierra Amarilla Land Grant. Consolidated proceedings for this group of subfiles may expedite resolution of these issues.

Wherefore, the Plaintiff requests the Court to enter an order under Rule 16(b) that requires the above-named defendants, or their representatives, to attend a scheduling and planning pretrial conference on June 4, 2003, at the Rio Arriba County Commissioners Chambers in Tierra Amarilla, New Mexico at 1:30 P.M.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I certify that copies of the Request for Pretrial Conference were mailed to the following persons on May 12, 2003.

/s/ Ed Newville
Edward G. Newville

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